



NATIONAL COMMUNICATIONS AUTHORITY

Federal Republic of Somalia

STAKEHOLDER CONSULTATION GUIDELINE

Guidelines for Public Participation in NCA Regulatory Processes

Updated @ 2025

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1. Introduction and Legal Basis

The National Communications Authority (NCA) is Somalia's independent telecommunications regulator, established under the National Communications Law to oversee spectrum, licensing, consumer protection, interconnection, numbering, cybersecurity, and market competition.

Transparent stakeholder consultation is both a legal obligation and a pillar of sound regulatory governance. This Guideline sets out how NCA engages stakeholders before adopting regulations, guidelines, strategies, or other measures that materially affect the communications sector.

Article	Key Obligation
Art. 6	NCA authority to issue binding regulations and guidelines
Art. 29–30	Mandatory consultation before any measure with material effect on a market; minimum 45-day comment period
Art. 31	NCA must publish all consultations and decisions on its official website

2. Scope and Objectives

This Guideline applies to all formal NCA public consultations. The following require consultations before adoption:

- Regulations, licensing frameworks, and licence conditions
- Spectrum assignment plans and spectrum management policies
- Numbering plans, interconnection and Reference Interconnection Offers (RIO)
- Consumer protection rules, QoS standards, and Universal Access policies
- National ICT strategies, cybersecurity policies, and submarine cable regulations
- Any other measure with a material effect on a telecommunications market

NCA's consultation objectives are to:

- Promote transparency and accountability;
- Gather technical and commercial insights to improve decision quality;
- Provide equal opportunity for all stakeholders to influence outcomes;
- Build sector trust

3. Stakeholders and Consultation Types

3.1 Who May Participate

All consultation processes are open to any interested party without prior registration, including:

Category	Examples
Telecom operators & service providers	MNOs, ISPs, CIPs, ASPs, MVNOs
Government & public institutions	All Government Agencies
Civil society & consumer groups	Consumer associations, disability and women's digital access groups
Academic & research institutions	Universities, technology institutes, policy research centres
General public	Individual citizens, end users, journalists

3.2 Types of Consultation

NCA applies four consultation types depending on the subject and urgency:

Type	Description
Full Public Consultation	Standard type for all major proposals. Minimum 45-day open comment period; all submissions published.
Targeted Industry Consultation	For matters primarily affecting a specific licensed segment; remains open to all parties.
Consultation Meeting / Workshop	Open forums for complex matters; proceedings published on NCA website.
Expedited Consultation	Used only for urgent public safety or market stability matters; minimum 14 days with published justification.

4. Consultation Process and Timelines

4.1 Process Steps

#	Stage	Action
1	Preparation	NCA prepares consultation document with proposed measure, rationale, and specific questions.
2	Publication	Document and public notice published on www.nca.gov.so/consultations ; stakeholders notified by email.
3	Comment Period	Minimum 45 calendar days (14 days for expedited); submissions emailed to comments@nca.gov.so .
4	Acknowledgement	NCA acknowledges all submissions within 5 working days of receipt.
5	Analysis	NCA reviews all submissions, prepares written response addressing key arguments.
6	Decision & Publication	NCA publishes all non-confidential submissions, formal decision, and justification within 90 days of consultation close.

4.2 Key Timelines at a Glance

Milestone	Minimum Standard
Standard consultation period	45 calendar days
Expedited consultation period	14 calendar days (with reasons)
Acknowledgement of submissions	5 working days
Publication of outcomes and decision	Within 90 days of close
Licence application decision (Art. 42)	30 working days

5. Submissions and Confidentiality

5.1 How to Submit

Submission Details

Email: comments@nca.gov.so
Portal: www.nca.gov.so/consultations
Subject: [Consultation Name] – [Organisation / Individual]
Languages: Somali, Arabic, or English

5.2 Submission Content

Submissions should include: organisation/individual name and contact details; statement of interest; specific responses to NCA's questions; supporting evidence or data; proposed alternatives where relevant; and any confidentiality request (see 5.3).

Industry associations are encouraged to submit consolidated responses on behalf of members, identifying the organisations represented. NCA may disregard submissions that are anonymous, abusive, irrelevant, or received after the deadline without prior approval.

5.3 Confidentiality

NCA protects commercially sensitive information in accordance with Article 16(2) of the National Communications Law. To claim confidential treatment, respondents must:

- Clearly identify the information claimed;
- Provide justification; and
- Submit both a confidential and a non-confidential public version.

NCA reserves the right to publish information if confidential treatment is insufficiently justified, notifying the respondent beforehand. The respondent's name, general position, and any information already in the public domain are not eligible for confidential treatment.

6. NCA Obligations, Review and Appeal

6.1 NCA Commitments

Obligation	Standard
Acknowledge all submissions	5 working days from receipt
Publish non-confidential submissions	Within 90 days of consultation close
Provide written decision with justification	Address key submissions; explain comments not adopted
Equal treatment of all stakeholders	Regardless of size, affiliation, or commercial interest
Conflict of interest (Art. 34)	Staff/Board must declare and recuse from affected consultations

6.2 Review and Appeal Rights

Any party adversely affected by an NCA decision arising from a consultation may, in accordance with Articles 33 and 67 of the National Communications Law:

- **Request an internal review:** submit in writing to NCA, stating the grounds and specific aspects challenged. NCA will notify all affected parties and issue a written decision within a reasonable period.
- **Appeal to a competent court:** if not satisfied with the internal review outcome. The court may confirm, modify, or set aside NCA's decision.

These rights apply to all consultation outcomes and cannot be limited by any provision of this Guideline.

7. Online Portal

7.1 NCA Consultation Portal

All NCA consultation activities are conducted through the official portal at www.nca.gov.so/consultations, which provides:

- All current, upcoming, and closed consultations with status and deadlines
- Downloadable consultation documents (PDF and Word) in Somali, and English
- Published stakeholder submissions (non-confidential versions)
- NCA's formal decisions and response documents
- Consultation calendar and regulatory work programme
- Archived consultation records, maintained publicly for a minimum of five years

NCA Contact Details

Portal: www.nca.gov.so/consultations

Comments: comments@nca.gov.so

General: info@nca.gov.so

Address: National Communications Authority, Mogadishu, Somalia

7.2 Alignment with International Best Practices

This Guideline supports the National Communications Authority's commitment to high-quality regulatory governance by ensuring that consultation processes reflect globally recognized best practices across the following dimensions:

Dimension	How This Guideline Delivers
Transparency	All consultation documents, stakeholder submissions, and final decisions are published on the NCA website in accordance with Article 31.
Stakeholder Engagement	A minimum 45-day consultation period is provided; equal opportunity for participation is ensured for all stakeholders; NCA issues written responses to all submitted inputs.
Regulatory Independence	Consultations are conducted free from undue influence; conflict of interest provisions are strictly applied in line with Article 34.
Accountability	Every regulatory decision is accompanied by a written justification; stakeholders retain the right to internal review and judicial appeal under Articles 33 and 67.
Regulatory Quality	Decisions are evidence based, informed by diverse stakeholder input, and aligned with recognized international good practices.
Online Accessibility	A dedicated multilingual consultation portal is maintained, including a 5-year archive of consultations and an annually published consultation calendar.

The NCA will periodically review and update this Guideline to ensure continuous improvement of its consultation processes and welcomes external feedback and independent assessments of its practices.

Annexes

Annex A – Submission Template

Field	Required Information
Organisation / Individual Name	[Full legal name]
Contact Person & Title	[Name and position]
Email & Telephone	[Contact details]
Stakeholder Category	[Operator / Government / Civil Society / Academic / Public]
Consultation Reference	[Title and reference of consultation document]
Date of Submission	[DD/MM/YYYY]
Responses to NCA Questions	[Address each question; attach supporting data where relevant]
Additional Comments	[Any other comments or proposed alternatives]
Confidentiality Request	[Yes/No — if Yes, identify sections and provide justification; attach non-confidential version]

Annex B – Glossary and FAQ

Term	Definition
NCA	National Communications Authority – Somalia's independent telecommunications regulator.
Consultation Document	Formal NCA document setting out a proposed measure and questions for stakeholder comment.
Material Effect	Significant impact on the structure, conduct, or performance of a telecommunications market.
RIO	Reference Interconnection Offer — standard interconnection agreement published by a dominant operator.
MNO / ISP / ASP / CIP	Mobile Network Operator / Internet Service Provider / Application & Services Provider / Communications Infrastructure Provider.

Frequently Asked Questions

Q: Who can participate?

Any individual or organisation with an interest in the consultation subject. No pre-registration is required.

Q: How do I submit comments?

Email your submission to comments@nca.gov.so before the closing date, with the consultation name in the subject line.

Q: Are submissions published?

Yes. All non-confidential submissions are published on www.nca.gov.so/consultations. Submit both a confidential and a public version if your submission contains sensitive business information.

Q: What happens after the consultation closes?

NCA reviews all inputs, issues a written decision addressing key submissions (including reasons for any comments not adopted), and publishes the outcome within 90 days.

Q: Can I challenge an NCA decision?

Yes. You may request an internal review under Article 33, or appeal to a competent Somali court under Article 67 of the National Communications Law.